

ORDINANCE NO. 00-040

AN ORDINANCE OF THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA,
AMENDING PALM BEACH COUNTY CODE CHAPTER 6,
ARTICLE I (ORDINANCE NO. 74-21); AMENDING SECTION
6-1(a)(5) "OPERATION OF VESSELS NEAR FISHING
PIERS"; PROVIDING FOR APPLICABILITY; PROVIDING
FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR
SEVERABILITY; PROVIDING FOR INCLUSION IN THE
CODE OF LAWS AND ORDINANCES; AND PROVIDING
FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners enacted Ordinance No. 74-21, codified at Chapter 6, Article I, sections 6-1 through 6-23 of the Palm Beach County Code of Laws and Ordinances, sets forth rules and regulations regarding the use of vessels on boats, docks and waterways; and

WHEREAS, the Board of County Commissioners desires to amend Ordinance No. 74-21, codified at Chapter 6, Article I, sections 6-1 through 6-23 of the Palm Beach County Code of Laws and Ordinances, to exclude surfboards from the definition of vessel as provided by this ordinance.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

PART 1. Section 6-1(a)(5) of the Palm Beach County Code, “Operation of vessels near fishing piers,” is amended as follows:

(a) As used in this section:

(5) *Vessel* means every description of watercraft or other artificial contrivance (not including surfboards) used or capable of being used as a means of transportation, mode of habitation, or place of business or professional or social association on the waters of the county, including, but not limited to:

a. Foreign and domestic watercraft engaged in commerce;

b. Passenger or other cargo carrying watercraft;

c. Privately owned recreational watercraft;

d. Airboats or seaplanes;

e. Household boats or floating homes.

County may promulgate rules and regulations regarding the use of vessels and surfboards as defined herein for its parks.

PART 2. CAPTIONS:

The captions, sections, headings, and section designations used in this ordinance are intended for the convenience of the users only and shall have no effect in the interpretation of the provisions of this Ordinance.

PART 3. REPEAL OF LAWS IN CONFLICT:

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of any conflict.

PART 4. SEVERABILITY:

If any section, paragraph, sentence, clause, phrase, or word of this ordinance is for any reason held by a Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this ordinance.

PART 5. INCLUSION IN THE CODE OF LAWS AND ORDINANCES:

The provisions of this Ordinance shall become and be made a part of the Code of Laws and Ordinances of Palm Beach County, Florida. The sections of this Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section", "article", or other appropriate word.

PART 6. EFFECTIVE DATE:

The provisions of this ordinance shall become effective upon filing with the Department of State.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County,

Florida, on this the 31 day of October, 2000.

~~APPROVED AS TO FORM AND
LEGAL SUFFICIENCY~~

By: 

EFFECTIVE DATE: Filed with the Department of State on the 8th day of November,
2000.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

By: Meadow Chair

Chair
COUNTY COMMISSIONERS
DOROTHY H. WILKEN, CLERK
Board of County Commissioners

By Deputy C. H.
DEPUTY CLERK

G:\COMMON\ATTY\WP\DATA\ENGI\NEWTON\Parks & Recreation\Parks Ordinance\Long Beach Park Ordinance.docx

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on October 31, 2006.

DATED at West Palm Beach, FL on 11/21/00
DOROTHY H. WILKEN, Clerk

By: Diane Bruce

20